

March 27, 1920

Cedar Creek High Water Irrigation Co.,
Mr. C. W. Sorenson, Secretary,
Mount Pleasant, Utah.

Gentlemen:

Your petition for the appointment of a water commissioner to distribute the waters of Cedar Creek and Twin Creek has been received and considered.

The present irrigation law gives the State Engineer jurisdiction over the distribution of water from public streams of the State where such water is not already distributed under court decree; the State Engineer, however, has no jurisdiction or right to take charge of any public stream to distribute the waters thereof when the distribution of the same is in the hands of the court.

Your petition sets forth the fact that a court decree was rendered involving the waters in question on or about the 18th day of March, 1903, and that the court the watermaster of the Twin Creeks Irrigation Company to distribute the waters. Such being the case, the State Engineer can acquire no jurisdiction over those streams until the court relinquishes its jurisdiction and turns the matter over to him.

Furthermore, I get the impression from your petition that the watermaster of said company has not distributed the water in accordance with the decree. If such is the case, then your remedy is by appeal to the district court under whose jurisdiction the watermaster was appointed.

Very truly yours,

CJU/M

State Engineer.

By

Deputy.